

Aquaculture, Aquaponic & Hydroponic Licensing Guide

The Kansas Department of Agriculture is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture business to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas aquaculture, aquaponic or hydroponic operation. In addition to license requirements by the Kansas Department of Agriculture, other Kansas agencies as well as local or federal government agencies may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful greenhouse, nursery or garden store in Kansas.

✓	Department	Description	Renewal
	Kansas Small Business Development Center (KSBDC)*	The KSBDC is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information.	Prior to starting
	Kansas Business Center*	The Kansas Business Center is a resource for information, filings, and personal assistance to start or maintain a Kansas business. Call 877-521-8600 for more details.	Prior to starting
	Office of the Secretary of State	Complete the appropriate filings and forms for a business entity required by the Kansas Secretary of State. Call 785-296-4564 for more information.	Prior to starting
	Department of Revenue	Visit the Department of Revenue website to find important business tax information . Call 785-368-8222 for more information.	Prior to starting
	Department of Agriculture, Food Safety & Lodging	No license is required if fish from the facility is sold whole and on ice. If the fish will be cleaned or processed on-site, complete the Food Processing or Storage Application . If a food processing license is required, a Hazard Analysis must be conducted to determine if a HACCP plan is also required. Contact Food Safety & Lodging at 785-564-6776 or FSL@kda.ks.gov for more information. Aggregating produce from other producers or processing produce beyond washing in potable water will require a Food Processing or Storage Application . Contact Food Safety & Lodging at 785-564-6776 or FSL@kda.ks.gov for more information.	Prior to selling product
	Department of Agriculture, Weights and Measures	No license is needed from Weights and Measures, but an aquaculture, aquaponic or hydroponic facility with scales must hire a licensed service company to test the scales once annually if the scales are utilized for any commercial transaction. Visit the Weights & Measures website for more information, or call 785-564-6683.	Annual service
	Department of Agriculture, Division of Water Resources	The state of Kansas requires a permit for water used for industrial water use, including at aquaculture, aquaponic and hydroponic operations, through the diversion of water not incidental to the operation of a traditional farmstead, unless water used is from a rural or municipal water source. Review the Kansas Water Law Basics . Complete the appropriate Water Appropriation Forms . For more information on water use, visit the DWR website or call 785-564-6640.	Yearly report of water use, March 1
	Department of Agriculture, Pesticide and Fertilizer	Any person or business that applies restricted use pesticides or applies pesticides on the property of another person is required to become licensed as a pesticide business by completing the Pesticide Business License application. For more information, review the Pesticide Applicator, Sales & Business Licensing Guide and the Pesticide & Fertilizer Program webpage, or call 785-564-6688.	Prior to applying pesticide
	Kansas Department of Wildlife, Parks and Tourism (KDWPT)	Aquaculture and aquaponics operations should be aware of the prohibited species list . For more information, contact KDWPT at 620-342-0658. Aquaculture facilities planning on selling bait fish must apply to become a certified bait dealer and comply with bait fish import regulations. Contact KDWPT at 620-342-0658 for more information.	Prior to obtaining fish

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✓	Department	Description	Renewal
	Department of Agriculture, Plant Protection & Weed Control	Any entity or person that grows, buys or obtains live plants for sale or distribution, establishes or moves live plants within Kansas to establish such live plants for others for compensation (such as landscapers), or who gives live plants as a premium or for advertising purposes must complete the Kansas Live Plant Dealer License application. Live plants grown for food are exempt from the license requirement. Those who sell less than \$10,000 and are not involved in import or export of plants outside of Kansas may request a license exemption, but still must complete the Kansas Live Plant Dealer License application; they will remain subject to state inspection regardless of size or sales amount. For more information, visit the Live Plant Dealer webpage, or call 785-564-6700. To export live plants outside of Kansas, it will likely be necessary to obtain a Live Plant Certificate of Inspection. Complete a Request for Export Inspection , and a Live Plant Inspection Application . Consult the Export Services and Application Center webpage for more information, or call 785-564-6700. Renewal of the certificate of inspection is only required if exporting plants during the next certification period.	Prior to opening, _____ Prior to exporting, October 1 Renewal
	Office of the State Fire Marshall (OSFM)	OSFM may need to approve the building for Life Safety Compliance. To determine all requirements, call 785-296-3401 and ask for the Prevention Division.	Prior to starting
	Department of Health and Environment, Bureau of Waste Management	Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE, and facilities greater than one-half acre must obtain a permit . A permit must also be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage, or call 785-296-1121.	Prior to composting or land application
	Department of Health and Environment, Bureau of Water, Industrial Program Section	An NPDES Construction Stormwater Permit is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities. Visit the KDHE Industrial Programs website, or call 785-296-5549 for more information.	Prior to construction
	Department of Health and Environment, Bureau of Water, Municipal Program Section	If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the KDHE Municipal Program Section at 785-296-5527 for construction and permitting requirements.	Prior to construction
	Department of Health and Environment, Bureau of Water, Public Water Supply & Geology Sections	If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to State/Federal drinking water requirements. Contact the KDHE Public Water Supply Section at 785-296-5523. Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells, serving public water supplies. Contact the KDHE Geology Section at 785-296-5560 for more information.	Prior to construction

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This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.

** Indicates that the information listed is merely a useful resource and not a requirement for operating the business*

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